

PUBLIC WORKS COMMITTEE

DATE: April 3, 2008

CALLED TO ORDER: 5:36 p.m.

ADJOURNED: 6:05 p.m.

ATTENDANCE

ATTENDING MEMBERS

Benjamin Hunter, Chairman
Dane Mahern
Janice McHenry
Mary Moriarty Adams
Cherrish Pryor
Mike Speedy

ABSENT MEMBERS

Ginny Cain
Angela Mansfield
Christine Scales

AGENDA

PROPOSAL NO. 133, 2008 - establishes that the City-County Council is interested in making the purchase of specified land owned by Russell E. Flagle which is necessary for the construction of a septic tank elimination and stormwater drainage improvements project

"Do Pass"

Vote: 6-0

PROPOSAL NO. 134, 2008- authorizes and approves the execution of an agreement between the Consolidated City of Indianapolis, Marion County, Indiana and Hamilton County, Indiana for the construction of highway and drainage improvements Marion and Hamilton counties

"Do Pass"

Vote: 6-0

PROPOSAL NO. 136, 2008- authorizes intersection controls at Washington Pointe Drive and 10th Street (District 21)

"Do Pass"

Vote: 6-0

PROPOSAL NO. 137, 2008- authorizes parking restrictions in the Eagle Nest Subdivision (District 5)

"Do Pass"

Vote: 6-0

PROPOSAL NO. 138, 2008- authorizes a 25-mile per hour speed limit within the Hidden Lakes subdivision (District 21)

"Do Pass"

Vote: 6-0

PROPOSAL NO. 156, 2008- authorizes intersection controls in Sherman Commons, Sections Three, Four and Five (District 24)

"Do Pass"

Vote: 6-0

PUBLIC WORKS COMMITTEE

The Public Works Committee of the City-County Council met on Thursday, April 3, 2008. Chairman Benjamin Hunter called the meeting to order at 5:36 p.m. with the following members present: Dane Mahern, Janice McHenry, Mary Moriarty Adams, Cherrish Pryor and Mike Speedy. Ginny Cain, Angela Mansfield and Christine Scales were absent.

PROPOSAL NO. 133, 2008 - establishes that the City-County Council is interested in making the purchase of specified land owned by Russell E. Flagle which is necessary for the construction of a septic tank elimination and stormwater drainage improvements project

Michael Rogers, Department of Public Works (DPW), stated that at the last meeting, the department presented several other proposals like this for consideration. This is a little over a half acre of land to be used for a sanitary sewer easement project. He said that the proposal indicates this land is for a perpetual flood protection levee easement, but it is actually for a sanitary sewer easement. He said that it does not necessarily need to be amended, since it is simply a "Whereas" statement, but he wanted to make sure committee members are aware it is a sanitary sewer project. He said that any land purchase valued over \$25,000 requires Council approval, and that is what this proposal seeks.

Councillor Pryor asked about the actual cost of the property. Mr. Rogers said that the State requires that the City have at least two appraisals done on the property and that they offer no greater than the average of those appraisals. He said that the average amount is just a little over \$42,000, but they have not yet negotiated any price with the owner.

Chairman Hunter asked if the purchase price was included in the budget, even though this is not a fiscal ordinance. Mr. Rogers said that they anticipated this cost, and it is included in the budget. He added that the sewer project is actually already completed on the property, and this is a clean-up proposal to purchase the property.

Councillor Speedy asked since the improvements have been made and this is merely a clean-up, if the owner has already agreed to sell. Mr. Rogers said that this is an old outstanding issue. The easement was negotiated quite a while ago, but the purchase of this particular piece of property was not finalized and fell through the cracks. Councillor Speedy asked if the old negotiated deal is still in effect. Mr. Rogers said that they never came to terms previously, and this will be a new offer. Councillor Speedy asked if they have come to terms this time around. Mr. Rogers said that no offer has yet been made

to the property owner, and they are waiting until this purchase is approved by the Council.

Councillor Moriarty Adams moved, seconded by Councillor Pryor, to send Proposal No. 133, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 6-0.

PROPOSAL NO. 134, 2008- authorizes and approves the execution of an agreement between the Consolidated City of Indianapolis, Marion County, Indiana and Hamilton County, Indiana for the construction of highway and drainage improvements Marion and Hamilton counties

Mr. Rogers said that maintenance for county line roads is structured so that counties are responsible for county line roads on their east and south borders. Therefore, the responsibility for maintenance of 96th Street falls to Hamilton County. However, any time there is a project on a county line road, an interlocal agreement is usually needed between the counties, due to the fact that such projects usually affect properties in the adjacent county. This interlocal agreement is for a project of approximately a half mile of improvements on 96th Street, just east of US 421 to Sycamore Road, which is east of Shelborne Road. He said that Hamilton County is performing this project and bears all of the financial responsibility, but they have worked closely with DPW's Engineering Division on the plans to make sure Marion County is satisfied with the project, as well.

Councillor Speedy asked for a brief synopsis of what this project includes, such as adding lanes, intersection improvements, etc. Mr. Rogers introduced Brad Davis and Joel Thurman, Hamilton County Highway Department, to give a brief description of the project. Mr. Thurman said that they are taking a two-lane non-curved portion of 96th Street and converting it to a four-lane curved stretch of road. He said that there will be intersection improvements at Augusta Road and Shelborne, with a connection of Augusta Road to the existing Commerce Drive. He said that the project is approximately a half mile in length, and stormwater and drainage improvements are also included.

Councillor Speedy asked if by intersection improvements, Mr. Thurman means the intersections will include roundabouts. Mr. Thurman said that this is correct. Councillor Speedy asked if these improvements will affect businesses located in the right-of-way. Mr. Thurman said that there have been many public meetings, and no one seems concerned about any disruption. There is one unique parcel where a business will be affected, and they are negotiating that. Councillor Speedy asked if any businesses will have to move elsewhere. Mr. Thurman said that only the one parcel would be affected in that way, and they are planning a "total take" of the property. Councillor Speedy asked if the intersection improvements will impede traffic into these businesses. Mr. Thurman said that the improvements should help traffic flow, and the particular intersection where they will have to do the total take involves some other sensitive issues on all four corners. A cemetery is on one corner, and that limits how they can

expand in that direction. He said that they tried to change the design to accommodate the property owner, but after further discussion, felt that a total take was the best option.

Councillor Speedy asked if Marion County was responsible for the improvements to County Line Road on the south side. Larry Jones, DPW Engineering Division, said that the Indiana Department of Transportation (INDOT) did most of those improvements near the interstate, but the City was responsible for the improvements from Emerson to Madison.

Chairman Hunter asked if eminent domain in Section 3 applies to the unique parcel. Mr. Thurman said that the project really would not be feasible by simply exercising eminent domain without a total take. There would be a lot more damage to this business than on the other properties, and in order to accommodate the property owner, a total take is much more beneficial. Chairman Hunter asked if the owner is against the sell. Mr. Rogers said that the City asked Hamilton County to make as many preliminary arrangements as possible before coming to the Council for approval, but this purchase agreement is awaiting the approval of the interlocal agreement. Hamilton County cannot move forward on the purchase of the property until this agreement is approved. Chairman Hunter asked if the eminent domain language is needed, then, if they are doing a total take. Mr. Rogers said that there are other right-of-way easements, and this project will affect other businesses along that stretch of road. The effect on these other businesses will be very minimal, however.

Councillor Mahern asked how many properties are on this half-mile stretch of road. Mr. Thurman said that there are a total of 26 parcels. Eleven are on the south side of 96th Street in Marion County, and the other 15 are located on the north side in Hamilton County. Of the 15 on the north side, seven of those have been secured. Councillor Mahern asked if any of these 26 parcels are owned by the same people. Mr. Thurman said that they each have separate owners.

Councillor Pryor asked if Hamilton County anticipates that any of the owners would be reluctant to give up their land for the project. She asked in an instance where some of them are reluctant, and eminent domain is applied, if Marion County will have any liability. Mr. Rogers said that Hamilton County will take responsibility for any eminent domain agreements. That is the reason for this proposal to approve the interlocal agreement, which authorizes Hamilton County to do this project without holding Marion County responsible on these issues. Mr. Thurman said that most of these properties are commercial and they will not be affected much, but they cannot approach them until this approval is received. He said that they have a good rapport with the neighborhood and will work to resolve all issues.

Councillor Pryor asked if the total take property is on the Marion County side, and if Marion County will be more affected by this project than Hamilton County. Mr. Thurman said that 3.39 acres are involved on the Marion County side, with two of the biggest parcels, including the total take property, accounting for approximately two acres of that

amount. That averages to about 0.15 acres on each parcel that will be affected. Councillor Pryor asked how that compares with Hamilton County. Mr. Thurman said that 6.5 acres are affected on the Hamilton County side.

Councillor Speedy asked if the cemetery is close to the intersection that will be improved. Mr. Thurman said that the cemetery is right on the intersection corner, and is the reason for the roundabout in order to maintain the proper setback. Councillor Speedy said that he is sensitive to the cemetery requirements, so he will support the project, but he would have rather seen the roundabouts stay further north.

Chairman Hunter asked whose responsibility is further maintenance on this stretch of road. Mr. Rogers responded that further maintenance would be Hamilton County's responsibility.

Councillor Speedy moved, seconded by Councillor Moriarty Adams, to send Proposal No. 134, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote 6-0.

Chairman Hunter asked for consent to vote on Proposal Nos. 136-138 and 156, 2008 together. Councillor Mahern asked to vote on Proposal No. 138, 2008 separately, as it deals with a speed limit decrease. Consent was given to vote on Proposal Nos. 136, 137 and 156, 2008 together.

PROPOSAL NO. 136, 2008- authorizes intersection controls at Washington Pointe Drive and 10th Street (District 21)

PROPOSAL NO. 137, 2008- authorizes parking restrictions in the Eagle Nest Subdivision (District 5)

PROPOSAL NO. 156, 2008- authorizes intersection controls in Sherman Commons, Sections Three, Four and Five (District 24)

Nathan Sheets, DPW Senior Planner, read the proposal digests and stated that each of these meet the requirements for approval, and all district Councillors are in support.

Councillor Moriarty Adams moved, seconded by Councillor Speedy, to send Proposal Nos. 136, 137 and 156, 2008 to the full Council with a "Do Pass" recommendation. The motion carried by a vote 6-0.

PROPOSAL NO. 138, 2008- authorizes a 25-mile per hour speed limit within the Hidden Lakes subdivision (District 21)

Mr. Sheets said that this proposal is similar to other reductions in speed limits passed previously. He said that state statute requires that residential subdivision speed limits be posted at 30 miles per hour (mph), but that they can be reduced to 25 mph for

cause. He said that in order to lower the speed limit, however, Council approval is required. This proposal would lower the rate in a subdivision that has two or three main entrances. Although there is not a lot of cut-through traffic, the neighborhood overwhelmingly supports the reduction, and it would not cause any traffic problems.

Chairman Hunter said that this is in his district, and the association actually wanted a 20 mph speed limit, but they settled on 25. He said that they had unanimous support among 60 residents who wanted the reduction.

Councillor Mahern said that he is not necessarily against this proposal, since there is no effect on main thoroughfare traffic flow and the subdivision wants it, but he asked if the subdivision will be paying for the cost of the signs. Mr. Sheets said that the department did not approach the subdivision about paying for the signs. Typically, DPW pays for the signs unless they make such decisions before the development has taken place and the cost can be included in those development costs. He said that they would not turn down the offer for the subdivision to pay the cost, but there is no outlet for that at this time.

Councillor McHenry asked if the City pays for special signs she sees in some subdivisions. Mr. Sheets said that there is a federal manual that governs road signs, and the department is consistent with these regulations. He said that when decorative signs or posts are wanted by a development, they are reviewed on a case by case basis, but they still have to meet federal regulations. Anything above the cost of the federal standards would be paid for by the subdivision.

Councillor Mahern said that it seems more subdivisions are lowering their speed limits lately, and he asked if there is any thought to just making subdivision limits lower to begin with. He said that the department should look at the number that have been lowered in the last few years and evaluate this for cost measures. He said that approving so many is setting a precedent, and it affects manpower, inspection procedures, and the budget each time one of these is approved. He asked if the department can research how many have been done in the last couple of years. Mr. Sheets said that they can research that and will work with the Department of Metropolitan Development on subdivision standards, so that developers know their options for speed limits. Councillor Mahern said that this might be a good time to review that, since sidewalks and other neighborhood issues are being reviewed.

Councillor Moriarty Adams moved, seconded by Councillor Pryor, to send Proposal No. 138, 2007 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 6-0.

Councillor Moriarty Adams stated that the Council passed an ordinance requiring a two-way stop at Audubon Road and 13th Street, and she asked if that had been installed yet. Mr. Sheets responded in the affirmative.

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There being no further business, and upon motion duly made, the meeting was adjourned at 6:05 p.m.

Respectfully Submitted,

Benjamin Hunter, Chairman

BH/ag